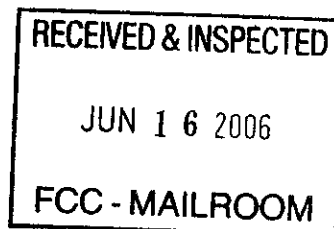


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From: 6189822080
Media: Fax 20 pages
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Received: 06:25 PM 06/16/06

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19189 Cory Bailey Street
Marion, IL 62959
618-982-2181

Crab Orchard School

Fax

RECEIVED & INSPECTED

JUN 16 2006

FCC - MAILROOM

To: FCC Appeals**From:** Derek Hutchins**Fax:** 1-202-418-0187**Pages:** 20, including this page**Phone:****Date:** 6/16/2006**Re:** Crab Orchard CUSD #3 Appeal**CC:**☐ **Urgent**☐ **For Review**☐ **Please Comment**☐ **Please Reply**☐ **Please Recycle**

Please find accompanying this cover letter our official appeal of denial for E-RATE funding for Crab Orchard CUSD #3. I may be reached by any of the below mentioned means:

Fax: 1-618-982-2080**Telephone:** 1-618-982-2181 x 218**email:** dhutchins@cocusd3.wilmsn.k12.il.us

Derek Hutchins, Superintendent
Crab Orchard CUSD #3

Derek Hutchins
Superintendent
William McSparin
Principal
Larry Davis
Dean of Students

**CRAB ORCHARD
COMMUNITY UNIT SCHOOL
DISTRICT NO. 3**
19189 CORY BAILEY ST. MARION, IL 62959
Telephone 618-982-2181 Fax 618-982-2080



**Letter of Appeal
Case No. 02-6**

June 16, 2006

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

RECEIVED & INSPECTED

JUN 16 2006

FCC - MAILROOM

Applicant Name: Crab Orchard School District #3
19819 Cory Bailey Street
Marion, IL 62959
Contact: Derek Hutchins
Phone: 618-982-2181 x 218
Fax: 618-982-2080
E-mail: dhutchins@cocusd3.wilmsn.k12.il.us

Entity Number: 136338

Form 471 Application Number: 469105

FRN's: 1324359 / 1324418 / 1324573

Total program year pre-discount amount: \$ 9,055.44

Dear Sirs:

This is a letter of appeal regarding the SLD's February 8, 2006 decision to deny Funding Year 2005 funding requests made by the Crab Orchard School District #3 ("Crab Orchard" or "applicant"), and their subsequent decision to deny our appeal. The SLD denied the funding requests because the "FRN's reference a Form 470 which has not been certified." Crab Orchard feels the decision was incorrect and attaches copies of the signature pages of both the 470 and the 471, and a copy of the U.S. Postal Service Return Receipt with the postmark of February 17, 2005. This postmark date was before the 471 window closing date for FY 2005 of February 18, 2005.

Crab Orchard also regrets the SLD's more recent decision to deny our appeal to them, letter dated April 20, 2006, allegedly because the SLD could not determine whether both the 470 and 471 certifications were in the same envelope. We ask how the SLD can deny on that basis? Is

Board of Education

Dallas Duty, President
Date Anderson

Randy Jones, Vice-President
Rick Doss

Keith Benedict, Secretary
Terry Bailey Jimmy Reynolds

No. of Copies rec'd
List ABCDE

Derek Hutchins

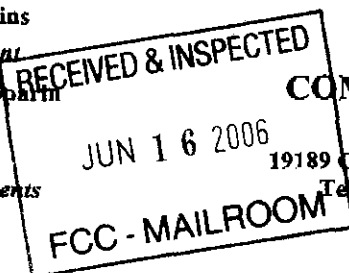
Superintendent

William McSparrin

Principal

Larry Davis

Dean of Students



**CRAB ORCHARD
COMMUNITY UNIT SCHOOL
DISTRICT NO. 3**

19189 CORY BAILEY ST. MARION, IL 62959
Telephone 618-982-2181 Fax 618-982-2080



there a rule now that says both certifications cannot be in one envelope? What more proof can Crab Orchard submit to show its compliance with the Rules?

We ask that the FCC review our application in light of several of its recent decisions, including a just released a new appeal decision (http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-06-1265A1.pdf) which overrules the SLD's "two-signature/two-date" rule. The FCC has made it clear that proof and evidence that the applicant complied with e-rate rules is enough to show compliance, even if minor errors are made. In this case, Crab Orchard offered proof that it complied with the rules on submission of the 470 and 471, and the SLD still asks them to jump through even more procedural hoops.

Per the SLD's own directives on their web-site (emphasis added):

471 Window to Close on February 18 (1/25/05)

The FY2005 Form 471 application filing window has been extended one day, to 11:59 PM EST on Friday, February 18. The SLD, in consultation with the FCC, has extended the window because the first version of the Letter to the Field for 2005 incorrectly featured January 21, 2005 as the last possible day to post a Form 470 and still file a Form 471 before the close of the filing window. This change will allow applicants who posted a Form 470 on January 21 the opportunity to file a Form 471 before the close of the filing window.

Per the proof attached herein, the SLD's decision on appeal is not reflective of the facts of this case. Finally, we believe this decision sets an unintended precedent by the SLD to deny funding even when the applicant provides proof of a timely submission, and now asks the applicant to prove that both documents were in the same properly postmarked and delivered envelope – a standard that is virtually impossible to prove.

We respectfully ask that the FCC reconsider and reverse the SLD's decision to deny Crab Orchard's FY 2005 funding requests. We maintain that Crab Orchard complied with the rules by posting the 470 and submitting the certification pages on time per the proof offered in this case.

Do not hesitate to call with questions or concerns.

Respectfully,

Derek Hutchins
Superintendent

Board of Education

Dallas Duty, President
Dale Anderson

Randy Jones, Vice-President
Rick Doss

Keith Benedict, Secretary
Terry Bailey
Jimmy Reynolds

Derek Hutchins
Superintendent
William McSparin
Principal
Larry Davis
Dean of Students

CRAB ORCHARD
COMMUNITY UNIT SCHOOL
DISTRICT NO. 3
19189 CORY BAILEY ST. MARION, IL 62959
Telephone 618-982-2181 Fax 618-982-2080



Attachments:

- Copy of 470 and 471 Certification Pages
- Copy of US Postal Services Return Receipt - #7004 2510 0003 9919
- Copy of Funding Commitment Letter, dated Feb. 8, 2006
- Copy of SLD denial letter, dated April 20, 2006

Board of Education

Dallas Duty, President
Dale Anderson

Randy Jones, Vice-President
Rick Doss

Keith Benedict, Secretary
Terry Bailey

Jimmy Reynolds

HOME CANCEL HELP**FCC Form 470**

Universal Service Program Description of Services Requested and Certification Form

**Entity Number: 136838**
Contact Person: Derek Hutchins**Applicant's Form Identifier: Crab**
Phone Number: 618-982-2181 Ext. 218

FCC Form

Approval by OMB
3060-0806**470****Schools and Libraries Universal Service
Program Description of Services Requested
and Certification Form**

Do not write in this area.

Form 470 Application Number:

19. The applicant includes: (Check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☐ individual technology plans for using the services requested in the application; and/or
- b. ☒ higher-level technology plans for using the services requested in the application; or
- c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed status, check both a and b):

- a. ☒ Technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ Technology plan(s) will be approved by a state or other authorized body.
- c. ☐ The application requests basic local and/or long distance telephone service only; no technology plan needed.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person Derek Hutchins 26. Date 2-17-05
 27. Printed name of authorized person Derek Hutchins
 28. Title or position of authorized person Superintendent
 29a. Street Address of authorized person
19189 Cory Bailey Street
Marion, IL 62959
 29b. Telephone Number of authorized person (618) 982-2181 Ext. 218
 29c. Fax Number of authorized person (618) 982-2080
 29d. E-mail address of authorized person dhutchins@cocUSD3.wilmsn.k12.il.us

Form 470 Application Number: 878140000532148

CRAB ORCHARD C U SCHOOL DIST 3

19819 COREY BAILEY RD

MARION, IL 62959-

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any

employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please submit this form to:

**SLD - Form 470
P.O. Box 7026
Lawrence, KS 66044-7026
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD - Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, KS 66046
1-888-203-8100**

**FCC Form 470
May 2003**

Done

Application ID : 469105

Do not write in this area

Entity Number 136838

Applicant's Form Identifier _____

Contact Person Derek Hutchins

Phone Number

618 982-2181**Block 6: Certifications and Signature**

- 24 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)
- a ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
- b libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.
- 25 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a	Total funding year pre-discount amount on this Form 471 (Add the entries from Items 23i on all Block 5 Discount Funding Requests.)	9 0 5 5 . 4 4
b	Total funding commitment request amount on this Form 471 (Add the entries from Items 23K on all Block 5 Discount Funding Requests.)	6 0 6 7 . 1 4
c	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	2 9 8 8 . 3 0
d	Total budgeted amount allocated to resources not eligible for E-rate support	1 0 0 0 0 . 0 0
e	Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	1 2 9 8 8 . 3 0
f	Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 25e.	

- 26 ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):
- a an individual technology plan for using the services requested in this application; and/or
- b ☒ higher-level technology plan(s) for using the services requested in this application; or
- c no technology plan needed; applying for basic local and long distance telephone service only.
- 27 ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.
- 28 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.
- 29 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s), or any representative or agent thereof or any consultant in connection with this request for services.
- 30 ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.




0 4 7 0 0 1 0 1 0

Application ID : 469105

Do not write in this area

Entity Number <u>136838</u>	Applicant's Form Identifier _____
Contact Person <u>Derek Hutchins</u>	Phone Number <u>618 982-2181</u>

- 31 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- 32 ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- 33 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
- 34 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
- 35 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F.R. Sec. 54.504(a)(1), (2).
- 36 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
- 37 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38	Signature of authorized person 		39	Date 02172005
40	Printed name of authorized person Derek Hutchins			
41	Title or position of authorized person Superintendent			
42a	Street Address, P.O. Box, or Route Number 19189 Cory Bailey Street			
	City Marion			
	State Zip Code IL 62959			
42b	Telephone number of authorized person		Ext	42c Fax number of authorized person
	618 982 2181		218	618 982 2080
42d	E-mail address of authorized person dhutchins@cocusd3.wilmsn.k12.il.us			



047001010

Entity Number 136838

Applicant's Form Identifier _____

Contact Person Derek HutchinsPhone Number 618 982-2181

41 Name of authorized person's employer

C r a b O r c h a r d C U S D # 3

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator, 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

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Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 471
P.O. Box 7026
Lawrence, Kansas 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms
ATTN: SLD Form 471
3833 Greenway Drive
Lawrence, Kansas 66046
(888) 203-8100**




0 4 7 0 0 1 0 1 0

FCC Form 471 - October 2004

7004 2510 0003 9519 8662

U.S. Postal ServiceTM	
CERTIFIED MAILTM RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
LAURENCE KS 66046	
Postage	\$ 11.06
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 13.36



Sent To	SLD Forms
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	Laurence KS 66046

PS Form 3800, June 2002 See Reverse for Instructions



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2005: 07/01/2005 - 06/30/2006)

February 8, 2006

Derek Hutchins
CRAB ORCHARD C U SCHOOL DIST 3
19819 COREY BAILEY RD
MARION, IL 62959

Re: Form 471 Application Number: 469105
Funding Year 2005: 07/01/2005 - 06/30/2006
Billed Entity Number: 136838
Billed Entity FCC RN:
Applicant's Form Identifier: None entered

Thank you for your Funding Year 2005 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$6,067.14 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,

Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey, 07981

Visit us online at: www.sl.universalservice.org

- Applicant BEN and service provider SPIN,
 - Form 471 Application Number as assigned by the SLD,
 - "Funding Commitment Decision Letter for Funding Year 2005," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connections requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

CATEGORY OF SERVICE: The type of service ordered from the service provider, as shown on your Form 471.

FORM 470 APPLICATION NUMBER: The Form 470 Application Number associated with this FRN from Block 5, Item 12 of the Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The Service Start Date for this FRN from Block 5, Item 19 of your Form 471.

CONTRACT EXPIRATION DATE: The Contract Expiration Date for this FRN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR: The number of months of service that has been approved in the funding year. This will be present only for recurring services.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

FUNDING COMMITMENT REPORT

Billed Entity Name: CRAB ORCHARD C U SCHOOL DIST 3
BEN: 136838
Funding Year: 2005

Form 471 Application Number: 469105
Funding Request Number: 1324359
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 878140000
SPIN: 143004791
Service Provider Name: Verizon North Inc.
Contract Number: T
Billing Account Number: 618-982-2181
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,240.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,240.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 470 Not Certified
Funding Commitment Decision Explanation: The FRN references a Form 470 which has not been certified.

FCDL Date: 02/08/2006
Wave Number: 033

Funding Request Number: 1324418
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 878140000
SPIN: 143004791
Service Provider Name: Verizon North Inc.
Contract Number: MTM
Billing Account Number: 618-UH0-0111
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,063.44
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,063.44
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 470 Not Certified
Funding Commitment Decision Explanation: The FRN references a Form 470 which has not been certified.

FCDL Date: 02/08/2006
Wave Number: 033

FUNDING COMMITMENT REPORT
Billed Entity Name: CRAB ORCHARD C U SCHOOL DIST 3
BEN: 136838
Funding Year: 2005

Form 471 Application Number: 469105
Funding Request Number: 1324573
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 878140000
SPIN: 143000677
Service Provider Name: Verizon Wireless
Contract Number: MTM
Billing Account Number: 504336856
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,752.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,752.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 470 Not Certified
Funding Commitment Decision Explanation: The ERN references a Form 470 which has not been certified.

ECOL Date: 02/08/2006
Wave Number: 033



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

April 20, 2006

Derek Hutchins
Crab Orchard School District #3
19819 Corey Bailey Road
Marion, IL 62959

Re: Applicant Name: CRAB ORCHARD C U SCHOOL DIST 3
Billed Entity Number: 136838
Form 471 Application Number: 469105
Funding Request Number(s): 1324359, 1324418, 1324573
Your Correspondence Dated: March 08, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1324359, 1324418, 1324573
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of SLD's decision to deny the funding requests for referencing a Form 470 that was not certified by the close of the filing window. In support of your request, you state that the Form 470 and Form 471 signature pages were mailed to SLD postmarked on February 17, 2005, which is before the close of the Funding Year 2005 window on February 18, 2005. You include a copy of both signature pages and a copy of the U.S. Postal Service Return Receipt showing a postmark date of February 17, 2005.
- Upon thorough review of the appeal letter and relevant supporting documentation, it is determined that your funding requests referenced a Form 470 that was not certified. According to program rules, a Form 470 must be certified on or before the Funding Year 2005 deadline (February 18, 2005) in order to ensure that only

eligible entities receive support under the universal support discount mechanism. During the initial review of the Form 471, you were contacted and informed that the Form 470 was not certified, which is a violation of the rules of this support mechanism. You were asked if the referenced Form 470 was the establishing Form 470 used in order to comply with this support mechanism bidding requirements, and to provide a copy of the Form 470 and proof of mailing the Form 470 if it was postmarked on or before the close of the filing window on February 18, 2005. Your fax dated January 3, 2006, indicated that the referenced Form 470 application 878140000532148 was the establishing Form 470 for the requested services. On September 14, 2005 and September 15, 2005, you also provided a copy of the Form 470 certification and proof of mailing the Form 470 on February 17, 2005. However, according to SLD's records, the tracking number on the proof of mailing (7004 2510 0003 9919 8662) matched the tracking number for the submittal of the Form 471 application 469105 certification and Item 21 documentation. The package did not contain the certification for Form 470 application 878140000532148. The proof of mailing that you provided on appeal was the same documentation you submitted during PIA review. The SLD could not determine that the certification for Form 470 application 878140000532148 was submitted in the same envelope as Form 471 application 469105. It is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.

- SLD denied your funding requests because it determined that your Form 470 Certification was not postmarked on or before the close of the filing window on February 18, 2005. As a result, this Form 470 cannot establish the competitive bidding process for the products and/or services in your funding requests. During the review of your Form 471, you confirmed that this was the establishing Form 470. Consequently, your appeal is denied because your funding requests referenced a Form 470 that was not certified on or before the close of the filing window.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶ 5 (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification. If the Form 470 Certification is not postmarked by the final date of the filing window, that Form 470 cannot be used to establish the competitive bidding process for any funding requests that cite that Form 470.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you

are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company